

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

VELCERA, INC. AND FIDOPHARM, INC.

Plaintiffs,

v.

MERIAL LIMITED,

Defendant,

and

MERIAL LIMITED AND BASF AGRO,
B.V., ARNHEM (NL), WÄDENSWIL
BRANCH,

Counterclaim-Plaintiffs,

v.

VELCERA, INC. AND FIDOPHARM, INC.,

Counterclaim-Defendants,

and

VELCERA, INC. AND FIDOPHARM, INC.,

Counterclaim-Plaintiffs,

v.

BASF AGRO, B.V., ARNHEM (NL),
WÄDENSWIL BRANCH,

Counterclaim-Defendant.

C.A. No. 11-134-GMS

STIPULATION AND ORDER

WHEREAS, the Court held a status conference with the parties to the above matter on Thursday October 27, 2011;

WHEREAS, the parties proposed, and the Court agreed, to stay the matter for a period of 90 days to allow for a process in which plaintiffs would provide limited discovery concerning its manufacturing process sufficient to allow counterclaim-plaintiffs to evaluate whether such process infringes the remaining patents-in-suit;

WHEREAS, the Court requested that the parties submit a stipulation setting forth the terms of the agreed-upon discovery process by Tuesday November 1, 2011;

WHEREAS, the Court extended the parties deadline to submit the stipulation setting forth the terms of the agreed-upon discovery process to Monday November 7, 2011; and

WHEREAS, the parties are continuing to discuss in good faith the proposed stipulation, because there are complex issues that require additional time and consideration by the parties;

IT IS HEREBY STIPULATED by and between the parties, subject to the approval and order of the Court, that the parties shall file the proposed Stipulation and Order on or before Friday November 11, 2011.

ASHBY & GEDDES

/s/ John G. Day

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Plaintiff Merial Limited and Counterclaim-
Plaintiff BASF Agro B.V., Arnhem (NL),
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SO ORDERED, this ____ day of November, 2011.

Chief Judge